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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/827,283	04/04/2001	Daniel Hallihan	PA1601US	6623
22830	7590	06/22/2004	EXAMINER	
CARR & FERRELL LLP 2200 GENG ROAD PALO ALTO, CA 94303			NGUYEN, NGA B	
			ART UNIT	PAPER NUMBER
			3628	
DATE MAILED: 06/22/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary

Application No.

09/827,283

Applicant(s)

HALLIHAN, DANIEL

Examiner

Nga B. Nguyen

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NW

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 April 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>2</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This Office Action is the answer to the communication filed on April 4, 2001, which paper has been placed of record in the file.
2. Claims 1-25 are pending in this application.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-25 are rejected under 35 U.S.C. 102(e) as being anticipated by Swart, U.S. Patent No. 6,347,306.

Regarding to claim 1, Swart discloses a machine-readable medium having embodied thereon a software interconnectivity program, the program being executable by an electronic device to perform method steps for interfacing and interconnecting data between one or more independent software applications, comprising the steps of:

entering data into a data entry panel of an electronic device (column 3, lines 5-25 and column 9, line 48-column 10, line 10; inputting the time and attendance information and the human resource information using input terminals into the employee data client computer system);

sending the data to an interconnectivity program module (column 3, lines 30-35 and column 9, lines 60-62; column 10, lines 7-9; sending the time and attendance information and the human resource information into the database 160); and

interfacing the data to one or more independent software applications for processing of the data by the applications (column 3, lines 25-30, 38-47 and column 10, lines 10-20; the payroll client computer having an independent payroll software object retrieves the data from the database 160 in order to calculate net work segment pay for each work segment completed by the employee).

Regarding to claim 2, Swart discloses verifying the data by comparing to a plurality of predetermined audit criteria before interfacing the data to the software applications (column 6, lines 43-53; verifying whether the earnings codes are used for jury duty, overtime, etc. and whether the absence codes are used for annual leave, sick leave, maternity leave, etc.).

Regarding to claim 3, Swart discloses storing and retrieving the data in a database of the interconnectivity program module (column 9, lines 60-62; column 10, lines 7-9, 13-15).

Regarding to claim 4, Swart discloses converting the data to a file format that is compatible with the software applications after interfacing the data to the software applications (column 6, lines 41-53; converting the data into a universal format understandable by the payroll processing system).

Regarding to claim 5, Swart discloses one of the independent software applications is a payroll processing program (column 3, lines 25-30; payroll software object).

Regarding to claim 6, Swart discloses one of the independent software applications is an accounts payable program (column 3, lines 46-53; the banking client computer is operated to directly deposit the net work segment pay to the employee's bank account).

Regarding to claim 7, Swart discloses one of the independent software applications is a project management program (column 3, lines 7-10; human resource software object).

Regarding to claim 8, Swart discloses one of the independent software applications is a billing program (column 54-65; the third party client computer system is operated to calculate the deductions).

Regarding to claim 9, Swart discloses a data processing system for interfacing and interconnecting data between one or more independent software applications, comprising:

one or more data entry panels for entering data into the system (column 3, lines 5-25; input terminal of the employee data client computer for entering time and attendance information and human resource information);

one or more processors coupled to the system (figure 3, the employee data client computer 110, the third party client computer 120, the payroll client computer 130);

one or more independent software applications executable on the processors (column 3, lines 5-37; time and attendance software object, human resource software object executed at the employee data client computer; payroll software object executed at the payroll client computer).

Claims 10-16 contains similar limitations found in claims 2-8 above, therefore are rejected by the same rationale.

Claims 17-24 contains similar limitations found in claims 9, 2-8 above, therefore are rejected by the same rationale.

Regarding to claim 25, Swart discloses a data processing system for interfacing and interconnecting data between one or more independent software applications, comprising:

one or more data entry panels for entering data into the system by a data entry operator (column 3, lines 5-25 and column 6, lines 11-27; input terminal of the employee data client computer for entering human resource information);

one or more processors coupled to the system (figure 3, the employee data client computer 110, the third party client computer 120, the payroll client computer 130);

one or more independent software applications executable on the processors (column 3, lines 5-37; time and attendance software object, human resource software object executed at the employee data client computer; payroll software object executed at the payroll client computer);

a plurality of predetermined audit criteria for verifying the data before interfacing the data to the software applications (column 6, lines 43-53; verifying whether the

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earnings codes are used for jury duty, overtime, etc. and whether the absence codes are used for annual leave, sick leave, maternity leave, etc.);

a means for converting the data to a file format that is compatible with the software applications (column 6, lines 41-53; converting the data into a universal format understandable by the payroll processing system).

Conclusion

5. Claims 1-25 are rejected.

6. The prior arts made of record and not relied upon is considered pertinent to applicant's disclosure:

Gates et al. (US 6,411,938) disclose a client-server online payroll processing.

Kahn et al. (US 6,401,079) disclose a system for web-based payroll and benefits administration.

Dietz et al. (US 6,408,337) disclose the organization maintains a computer system that is linked to a vendor's computer system.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to examiner Nga B. Nguyen whose telephone number is (703) 306-2901. The examiner can normally be reached on Monday-Thursday from 9:00AM-6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hyung S. Sough can be reached on (703) 308-0505.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 306-1113.

8. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

C/o Technology Center 3600

Washington, DC 20231

Or faxed to:

(703) 872-9326 (for formal communication intended for entry),

or

(703) 308-3691 (for informal or draft communication, please label "PROPOSED" or "DRAFT").

Hand-delivered responses should be brought to Crystal Park 5, 2451 Crystal Drive, Arlington, VA, Seventh Floor (Receptionist).

Nga B. Nguyen



June 9, 2004